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FLEMING v. THE CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

December 13, 2005

RICHARD PETTIT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH FLEMING and JOHN DOE,)
Plaintiffs,) Case No. C04-2338 RSM
vs.)
THE CORPORATION OF THE PRESIDENT) Videotaped Deposition
OF THE CHURCH OF JESUS CHRIST OF) of:
LATTER-DAY SAINTS, a Utah) RICHARD PETTIT
corporation sole, a/d/a "MORMON")
CHURCH"; LDS SOCIAL SERVICES,)
a/d/a LDS FAMILY SERVICES, a)
Utah corporation,)
Defendants.)

December 13, 2005
9:24 a.m.

Kirton & McConkie
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84145-0120

Sharon Morgan, CSR, RPR, CRR

Notary Public in and for the State of Utah

Exhibit AGARCIA & LOVE
801.538.2333

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1 A. He was shocked.

2 MR. FREY: At this point -- did you expect
3 your conversation -- let me interpose an objection and
4 ask a question. Do you expect your conversation with
5 Bishop Borland to be confidential?

6 THE WITNESS: Yes.

7 MR. FREY: Are you willing to waive that
8 confidentiality and testify about it today, about what
9 you spoke to about with Bishop Borland?

10 THE WITNESS: Yes.

11 MR. FREY: Okay. Go ahead, Counsel.

12 Q. (By Mr. Kosnoff) When you went to Bishop
13 Borland, you were not going to him for purposes of
14 confessing your sin, were you?

15 A. No.

16 Q. And you would hope that he would -- that --
17 strike that. What was your reason for going to Bishop
18 Borland?

19 A. To inform him of the situation.

20 Q. And was it your hope or intention that Bishop
21 Borland would use this information and take some kind
22 of concrete action with respect to Jack LaHolt?

23 A. Yes.

24 Q. And what was your -- what did you hope that
25 he would do?

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1 A. Correct it.

2 Q. What did Bishop Borland say to you?

3 A. I don't remember.

4 Q. Did he tell you that he would do something
5 about Jack?

6 A. I don't remember.

7 Q. Did he give you any kind of assurances that
8 the matter would be handled?

9 A. Yes.

10 Q. And did you trust that the matter would be
11 handled?

12 A. Yes.

13 Q. Was it handled?

14 A. Yes.

15 Q. To your knowledge, what happened with respect
16 to Jack LaHolt?

17 A. Within one week he was released.

18 Q. How did you become aware that he had been
19 released?

20 A. At the church service the following week.

21 Q. Did somebody communicate that to you?

22 A. Yes.

23 Q. Bishop Borland?

24 A. Yes.

25 Q. And he told you that he released Jack?

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1 A. Yes.

2 Q. Did he tell you that he had sent Jack to LDS
3 Social Services?

4 A. No.

5 Q. Did he tell you what his plans were with
6 respect to helping Jack?

7 A. No.

8 Q. Did you ask him?

9 A. No.

10 Q. The fact that Bishop Borland removed Jack
11 from scouting, did that satisfy your concerns?

12 A. Yes.

13 Q. Did you let your son know that you had spoken
14 to the bishop and that the bishop had acted and
15 removed Jack from scouting?

16 A. Yes.

17 Q. Did your son continue in scouting?

18 A. To some degree.

19 Q. When you talked to your son, did he indicate
20 that what Jack had done to him had occurred just one
21 time or on more than one occasion?

22 A. I don't know.

23 Q. Did he indicate whether or not any other boys
24 had been similarly touched by Jack LaHolt?

25 A. No.

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